

Testimony

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On Behalf of Al Montna,  
President of the California Board of Food and Agriculture  
Delta Vision Cabinet Committee  
Sacramento, California  
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Members of the Governor's Cabinet Committee on the Delta Vision, on behalf of the California Board of Food and Agriculture please accept our thanks for inviting our president, Al Montna, to provide testimony on the Delta Vision Strategic Plan. My name is Adan Ortega and I am here to speak on our president's behalf for the Board and to answer questions along with my colleague Don Bransford who is here in his additional capacities as a California farmer and water official.

The Board of Food and Agriculture provided comments on various drafts of Delta Vision Strategic Plan including the final. We do not agree in full with the plan. However, the Delta Vision Task Force identified the importance of factors such as invasive species and Delta channel modifications that were previously largely overlooked when evaluating ecosystem effects. The Task Force's process therefore has added important information to the state's consideration of essential questions that have been forestalled over the past three decades in addressing the hub of California's water system.

We agree that the Delta's constraints are driven by natural factors such as drought and global warming - exemplified by already changing forms of hydrology from snow to rain. We also wish to emphasize that the most immediate impacts are driven by judicial orders and regulatory actions that are requiring that we reduce withdrawals from the Delta.

In addressing California's needs, the Task Force recommended the co-equal goals of restoring the Delta ecosystem and creating an improved water supply and supply reliability for California. The Task Force also recommended: *"enhancing and protecting the Delta to protect life and property in recognition of its ecosystem and continuing contribution to California's heritage."*

As part of California's present-day heritage, the board recommends that the Delta Vision Cabinet Committee recognize agriculture's strategic value to California and the nation as a resource – just like water, land and air. Agriculture must not fall by the wayside as a legacy industry, but viewed as the crucial component it is for a stable society. The strategic value of agriculture as a resource is rooted in its role of providing the nutritional needs of Americans. Unlike other parts of the United States, California agriculture fills this role with a near absence of federal subsidies in crop support and research. Just as California cannot get by without reliable water, life as Californians know would be difficult without a reliable and affordable food supply. This is a fundamental fact that demands recognition in any strategic plan addressing water and land use.

The Blue Ribbon Task Force was assigned with the development of a strategic plan that agency secretaries must evaluate and ultimately implement. In order to implement the co-equal goals of reliable water supply and Delta ecosystem health, the Cabinet Committee must fully understand the water supply implications of any ecosystem proposals before recommending those proposals. It is not possible to provide a reliable water supply if an ecosystem proposal makes that water supply impossible to deliver. We believe that such an analyses ultimately will support the Cabinet Committee's proposed recommendations to complete on-going studies regarding surface storage as well as for various restoration activities.

Similar to the need to analyze the water supply impacts of any ecosystem proposals, there is a need to understand how any proposed enhancement of the State Water Resources Control Board's water right enforcement powers will affect agriculture in the Delta watershed and the Delta itself. We must also evaluate how such powers can affect areas of California that are not directly tied to the Delta region. Without such an analysis, such a proposal may have economic impacts throughout the state. Moreover, there must be mechanisms to reconsider allocations of water to environmental restoration where those allocations ultimately do not achieve their objectives.

Furthermore, we also would like to suggest that the co-equal goals of creating a reliable water supply and restoring the Delta are not necessarily enhanced by regulatory adoption of stream-flow requirements, as seems to be proposed in the Cabinet Committee's November 25 discussion paper. Delta watershed and Delta-export interests have successfully negotiated agreements to transfer water to urban use in ways that have benefited natural resources. For example, during the late 1990's and earlier this decade, urban water agencies worked with Central Valley districts that had groundwater capacity and replenishment needs. Through careful willing purchases of water and investments in Central Valley groundwater storage infrastructure, hundreds of thousands of acre-feet of water supplies were stored and used when needed.

Thus, the general public quickly forgets that California experienced a drought from 1999-2003 that was similar in intensity to the one we experienced between 1987-1993. However, because of the judicious exercise of water rights, planning and storage, economic impacts and heightened stress on the environment were averted all around. Regulatory proceedings to mandate that water users maintain designated stream-flows could never be as nimble in meeting the state's needs and easily could prevent real progress by causing all parties to seek to protect their rights in litigation. In short, the exercise of water rights in concert with public state and regional agencies have provided flexibility to overall water management in California that could be compromised through mandates that remove any incentive for parties to act willingly.

With the economic stress on the state and competition for state funds we urge the Committee to allow for discussion and alternative means of achieving co-equal goals that capitalize on past models of successful governance, investments and reliable supplies for the environment and economic needs.

The Board observed that the Delta Vision Strategic Plan also does not directly address local areas of origin statutes. Again, we urge evaluations of economic impacts of reallocating water and access to water by those in the areas of origin.

We also recommend that the Committee consider the key economic factor of locally invested resources in relation to governance

recommendations. Overall, the Board of Food and Agriculture opposes formation of new governance structures in the Delta and support improving the roles and missions of existing relevant agencies. In many Delta watershed communities, local taxpayers have invested in locally financed water facilities to meet those communities' needs – in a manner that has also served the entire state in terms of past flood management and current conveyance. Any governance proposals must respect those investments and the local communities' resulting stake in receiving their investments' return. Ignoring this basic factor will discourage further local investments in water infrastructure. While the “beneficiaries pay principle” is often stated for various components of the strategic plan, the fact is that beneficiaries have been paying and proposals contained in the Delta Vision Strategic Plan components may strand some of those investments.

Gross generalizations are often made that agriculture uses 80 percent of the water in California. However, according to Bulletin 160-05 (State Water Plan update of 2005), in a normal year of precipitation (like 2000) the environment uses 48 percent, urban uses 11 percent and agriculture uses 41 percent of the state's dedicated water supply. This is important because without clear recognition of actual water applied to various stakeholder sectors it is difficult to explain why water use efficiency gains are best derived from some sectors instead of others and to realize the significant dedication of water already made to the ecosystem.

The strategic plan calls upon the Legislature to adopt it as a binding interim document by May 2009. We believe that such a recommendation is not advisable in the absence of any technical analysis of how the plan would actually work in the long-term.

We support the Cabinet Committee's mission to achieve water reliability and balanced Delta eco-system and look forward to your questions and discussion. Thank you for this opportunity to comment on behalf of the California Board of Food and Agriculture.